Vacancies of Judges in High Courts and Supreme Court

*332. *SHRI S. S. SURJEWALA* : Will the PRIME MINISTER be pleased to state :

(a) the number of vacancies of judges in the Supreme Court and the various High Courts in the country and since when ;

(b) by when the vacancies in the Supreme Court and in the High Courts are likely to be filled up ; and

(c) whether the Union Government will follow guidlines/recommendations of the Law Commission and Malimath Committee in the matter of appointment of Judges ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS : (SHRI H.R. BHARDWAJ) : (a) As on 13-8-1993, there were 5 vacancies of Judges in the Supreme Court and 83 vacancies of Judges in the various High Courts in the country. The dates from which these vacancies arose are given in the enclosed statement. (See below)

(b) The process of consultation among the concerned constitutional authorities for filling up the existing vacancies is underway.

(c) The matter of appointment of Judges of the Supreme Court and the High Courts and related issues were taken up for consideration by the 9-Judge Bench of the Supreme Court of India. The judgement is reserved and the matter is therefore, subjudice.

Statement *As on 13-8-1993*

S. No.	High Court	Vacancies		Dates from which these are lying vacant
		Pmt.	Additional	
1	2	3	4	5
1.	Allahabad	5	—	2-7-92(P) 15-7-92(P) 13-11-92(P) 9-1-93/(P) 13-3-93(P)
2.	Andhra Pradesh	2	2	26-11-82(A) 29-11-82(A) 1-7-93(P) 2-7-93(P)
3.	Bombay	2	8	28-7-92(A) 28-7-92(A) 28-7-92(A) 28-7-92(A) 23-3-93(A) 23-3-93(A) 23-3-93(A) 16-6-93(A) 1-7-93(P) 16-7-93(P)
4.	Calcutta	11	1	25-4-91(A) 1-8-92(P) 1-9-92(P) 1-11-92(P) 18-11-92(P) 31-12-92(P) 1-1-93(P) 1-1-93(P) 19 1-93(P) 1-3-93(P) 31-5-93(P) 24-6-93(P)

1	2	3	4	5
5.	Delhi	1	4	22-1-92(A) 22-1-92(A) 22-1-92(A) 8-5-92(A) 31-3-93(P)
6.	Gauhati	4	—	1-2-92(P) 1-3-92(P) 10-3-92(P) 22-8-92(P)
7.	Gujarat	1	3	21-11-92(A) 21-11-92(A) 21-11-92(A) 28-06-93(P)
8.	Himachal Pradesh	—	1	23-3-92(A)
9.	Jammu & Kashmir	2	—	19-10-92(P) 15-5-93(P)
10.	Karnataka	5	2	2-8-91(A) 2-8-91(A) 1-7-92(P) 1-7-92(P) 21-3-93(P) 2-5-93(P) 1-7-93(P)
11.	Kerala	1	—	1-4-93(P)
12.	Madhya Pradesh	4	3	15-6-92(A) 15-6-92(A) 15-6-92(A) 31-7-92(P) 4-1-93(P) 20-3-93(P) 22-6-93(P)
13.	Madras	3	—	15-11-92(P) 6-12-92(P) 20-7-93(P)
14.	Orissa	—	1	22-6-92(A)
15.	Patna	6	—	5-6-92(P) 4-9-92(P) 22-9-92(P) 23-5-93(P) 8-7-93(P) 15-7-93(P)
16.	Punjab & Haryana	1	4	8-7-92(A) 8-7-92(A) 8-7-92(A) 15-3-93(A) 26-4-93(P)

1	2	3	4	5
17.	Rajasthan	3	2	11-8-92(A) 11-8-92(A) 10-9-92(P) 20-1-93(P) 16-4-93(P)
18.	Sikkim	1	—	9-11-92(P)
		52	31	

Supreme Court 30-5-92
31-10-92
18-11-92
12-2-93
4-4-93

Non-utilisation of funds meant for JRY in Bihar

*333. SHRI S. S. AHLUWALIA : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that the major portion of the funds meant for the Jawahar Rojgar Yojana have remained unspent in Bihar despite the sufferings of the people due to unprecedented drought conditions in the State :

(b) if so, what are the details thereof;

(c) whether Government have received any explanation from the State Government giving reasons for non-utilisation of funds given for Jawahar Rojgar Yojana;

(d) if so, what are the details thereof; and

(e) what remedial action Government propose to take in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (DEPARTMENT OF RURAL DEVELOPMENT) (SHRI RAMESHWAR THAKUR) : (a) to (e) During the year 1992-93 the total resources available including the State's share under Jawahar Rojgar Yojana (JRY) with the Government of Bihar were Rs. 45,639.01 lakhs against which upto the end of March, 1993 the State Government reported that they had utilised Rs. 41,257.59 lakhs which is 90.40% of the total funds available.

Government of Bihar had an unutilised balance of Rs. 4,381.42 lakhs as on 31-03-93. Ministry of Rural Development had released Rs. 8,333.46 lakhs to Bihar on 31-03-93 as additional Central Assistance under JRY. Taking into account the State's matching share of Rs. 2,083.37 lakhs, the total funds that were available as on 1-4-93 were Rs. 14,798.25 lakhs. In addition, Ministry of Rural Development have released Central Assisance amounting to Rs. 26,310.21 lakhs to Government of Bihar under JRY during 1993-94, till date, which includes special release of Central assistance amounting to Rs. 17,500.00 lakhs announced by the Prime Minister during his visit to the drought affected areas of Bihar. Taking into account the State's matching share of Rs. 6,577.55 lakhs, the total funds that are available with the State Government for expenditure during 1993-94 till date are Rs. 47,686.01 lakhs against which upto the end of June, 1993, Government of Bihar have reported that they have utilised only Rs. 7,985.71 lakhs so far, which is 16.75% of the available funds. It is, therefore, a fact that a major portion of the funds meant for JRY have remained unspent in Bihar during 1993-94, so far.

Government of Bihar have not given any reason/explanation for the poor utilisation of JRY funds in the State.

The performance was reviewed in the National Workshop of the project Directors of the District Rural Development Agencies (DRDAs) Zila Parishads (ZPs), who are implementing the rural employment programmes at the district levels, held in June, 1993 and the implementing agencies have been asked to gear up the administration to utilise the entire funds available under the Scheme.

The Prime Minister of India and the Minister of State for Rural Development have visited Bihar twice during the current year in connection with the drought and flood situations prevailing in Bihar at that time, alongwith the Secretary to the Government of India. Senior Officers of the Rural Development Ministry have visited the State during the current year and impressed upon the State Government officials the need to accelerate the pace of expenditure under the Yojana. A team